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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,449	08/15/2002	Alexander James Brown	010100-109	3885

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HENRICKS SLAVIN AND HOLMES LLP  
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EL SEGUNDO, CA 90245

EXAMINER
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GILES, NICHOLAS G

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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12/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/049,449	<b>Applicant(s)</b> BROWN ET AL.	
	<b>Examiner</b> Nicholas G. Giles	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 111-114, 116-127, 129 and 131-138 is/are pending in the application.
- 4a) Of the above claim(s) 121-126 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 111-114, 116-120, 127, 129 and 131-138 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
LIN YE  
SUPERVISORY PATENT EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 10/22/2007 have been fully considered but they are not persuasive.

Applicant argues that Enright does not disclose providing live video signals. The examiner points to 28:57-61 where Enright virtually simultaneously delivers image and transaction data to a remote user. This is live video signals. This is opposed to recovering the image data from memory as shown in 28:51-54.

### ***Claim Rejections - 35 USC § 112***

The rejections of claims **111**, **135**, and **138** are withdrawn as the claims have been amended.

### ***Claim Objections***

The objections to claim **135** is withdrawn as the claims have been amended.

Claim **138** is objected to because of the following informalities: Line 11 recites "at a web server". The web server is previously recited in line 9 therefore the phrase will be interpreted to read "at the web server". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims **111-114, 116-120, 127, 129, 131, 133, and 135-138** are rejected under 35 U.S.C. 102(e) as being anticipated by Enright et al. (U.S. Patent No. 6,583,813).

Regarding claim **111**, Enright et al. discloses:

A digital video management system for remove live video monitoring of one or more areas or processes of interest, the system including: a plurality of cameras (cameras 186, 188, 190 Fig. 11), each camera having a respective camera streamer (hardware interface 170 Fig 10) configured to packetize the camera output and to provide live first video signals to a computer communications network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); a video server (mini server 192, 194, 196) configured for linking to the network, configured to receive the first video signals and configured to be responsive to a predetermined schedule for storing on a storage media associated with the server at least some of the first video signals wherein the serve is configured to access the stored signal and to access the live first video signal to selectively provide packetized playback second video signals and packetized live second video signal respectively (28:51-67, 29:20-44, 48:54-49:8); at least one client computer terminal configured for linking to the network for providing the predetermined schedule for receiving the playback second signals to allow the operator to review past events, and for receiving and displaying to the operator the live second

video signals to allow the operator to view events live (28:51-67 and 48:54-49:8).

Regarding claim **112**, see the rejection of claim 111 and note that Enright et al. further discloses:

The predetermined schedule includes a plurality of time based trigger points and the server stores the first video signals starting at a first predetermined period prior to each point and a second predetermined period after each point (18:30-46 and 21:20-41).

Regarding claim **113**, see the rejection of claim 111 and note that Enright et al. further discloses:

The predetermined schedule includes a plurality of event based trigger points and the server stores the first video signals starting at a first predetermined period prior to each point and a second predetermined period after each point (18:30-46 and 21:20-41).

Regarding claim **114**, see the rejection of claim 113 and note that Enright et al. further discloses:

A sensor for providing a third signal to the network, wherein one of the event based trigger points comprises the third signal falling within a predetermined range (Motion detection 18:30-46).

Regarding claim **116**, see the rejection of claim 112 and note that Enright et al. further discloses:

The first and second predetermined periods are configurable based upon one or more of: on a per camera basis, on a per area basis, on an event type basis (21:20-41 and 35:56-36:16).

Regarding claim **117**, see the rejection of claim 112 and note that Enright et al. further discloses:

The duration of the first and second predetermined periods are configurable (18:30-46).

Regarding claim **118**, see the rejection of claim 111 and note that Enright et al. further discloses:

A plurality of client terminals and a controller for controlling the second signals that are provided to respective terminals (37:28-47, 28:51-67, 29:11-30, and 37:13-27).

Regarding claim **119**, see the rejection of claim 118 and note that Enright et al. further discloses:

The terminals provide over the network respective camera control commands to the video server and the video server processes those commands and generates control signals that are sent to the relevant camera via the network (35:15-23).

Regarding claim **120**, see the rejection of claim 118 and note that Enright et al. further discloses:

The processing of the commands by the video server includes a determination of whether or not the terminal sending the respective command has access rights to the relevant camera (37:13-27).

Regarding claim **127**, see the rejection of claim 111 and note that Enright et al. further discloses:

The first video signals are compressed by the cameras (13:62-14:22 and 14:49-15:20 and Fig. 3).

Regarding claim **129**, see the rejection of claim 111 and note that Enright et al. further discloses:

The camera streams compress the respective first video signals (13:62-14:22 and 14:49-15:20 and Fig. 3).

Regarding claim **131**, see the rejection of claim 120 and note that Enright et al. further discloses:

The controller is adapted to receive camera control functionality requests from the terminal and to forward camera control commands to the cameras (28:51-67, 29:11-44, and 35:15-23).

Regarding claim **133**, see the rejection of claim 131 and note that Enright et al. further discloses:

The controller is adapted to grant or deny a control request in dependence upon security level information relating to a user making the request (37:13-27).

Regarding claim **135**, Enright et al. discloses:

A digital video management system for remote live video monitoring of one or more areas or processes of interest, the system including: a plurality of cameras (cameras 186, 188, 190 Fig. 11) each having a respective camera streamer (hardware interface 170 Fig 10) configured to packetize the camera output to provide respect live video signals to a computer communications network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); a plurality of video servers (mini server 192, 194, 196) configured to be in communication with the network, each video server having a respective camera manager configured to manage a respective subset of said plurality of cameras, wherein each video server is configured to receive the video signals from said subset of the cameras and, in response to receiving a command from a web server (image server 182) in communication with the network, to provide live access to one of said received video signals to a client computer (28:51-67 and 29:7-44, see also 48:54-49:8); a web server (image server 182) configured to be in communication with the network, the web server having a primary camera manager configured for receiving a command from a client computer terminal, for processing the command to determine a camera to which the command relates and for forwarding the command to the corresponding video server (29:7-44); and a client computer terminal configured to be in communication with the network and



configured for generating a command to the web server and for receiving the live video signal live from the video signal (29:7-44).

Regarding claim **136**, see the rejection of claim 135 and note that Enright et al. further discloses:

A data server, and wherein at least one of said video servers is configured to be in communication with the data server to effect storage of at least some of the video signals (27:31-40).

Regarding claim **137**, see the rejection of claim 136 and note that Enright et al. further discloses:

The web server is configured, in response to a command from the client terminal, to provide access to the stored video signals (29:7-44).

Regarding claim **138**, Enright et al. discloses:

A method of managing a digital video system for remote live video monitoring of one or more areas or processes of interest, the method including the steps of: at each of a plurality of camera streamers (hardware interface 170 for each camera when connected to a corresponding mini server, Fig 10), receiving output from an associated camera (cameras 186, 188, 190 Fig. 11), and packetizing said output to provide respective live video signals to a computer network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); at a plurality of video servers (mini server 192, 194, 196) in communication with the

network, receiving the video signals from a subset of said plurality of streamers and in response to receiving a command from a web server (image server 182) in communication with the network, providing live access to one of said received video signals (28:51-67 and 29:7-44, see also 48:54-49:8); at the web server (image server 182), receiving a command from a client computer terminal, processing the command to determine a camera to which the command relates and forwarding the command to the corresponding video server (29:7-44); and at a client computer terminal in communication with the network generating a command to the web server and receiving the live video signal live from a video server (29:7-44).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim **132** is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Kuno (U.S. Patent No. 6,567,121).

Regarding claim **132**, see the rejection of claim 131 and note that Enright et al. is silent with regards to denying a control request when a camera is being controlled by

another terminal. Kuno et al. discloses this in 5:6-11, 5:36-42, 5:48-51, and 6:61-67 and Fig. 9. An advantage to doing this allows clients to be queued for gaining the right of camera access as Kuno shows in 6:61-67. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Enright's system include denying a control request when a camera is being controlled by another terminal.

6. Claim **134** is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Dangi et al. (U.S. Patent No. 5,231,492).

Regarding claim **134**, see the rejection of claim 111 and note that Enright et al. is silent with regards to priority of the video stream over the audio stream. Dangi et al. discloses this in 11:36-12:2 and Fig. 30. Dangi et al. discloses that this is advantageous when for example a person stands up (eg movement) and the video data changes tremendously. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Enright's system include priority of the video stream over the audio stream.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas G. Giles whose telephone number is (571) 272-2824. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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NGG



**LIN YE**  
SUPERVISORY PATENT EXAMINER